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9 Attorneys for Petitioners OSMAN MOHAMMED
10 ARAB and WONG KWOK KEUNG, in their capacity
11 as the joint and several Trustees of the property of
12 Cheng Wai Hung and Cheng Wai Tak Terence

12 **UNITED STATES BANKRUPTCY COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **RIVERSIDE DIVISION**

15 In re:
16 Cheng Wai Hung,
17 Debtor in a Foreign Proceeding.

19 In re:
20 Cheng Wai Tak Terrence,
21 Debtor in a Foreign Proceeding

24 ☒ Affects All Debtors
25 ☐ Affects Cheng Wai Hung, Debtor in Foreign
26 Proceeding
27 ☐ Affects Cheng Wai Tak Terence, Debtor in
28 Foreign Proceeding

FILED & ENTERED

NOV 20 2017

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY craig DEPUTY CLERK

Lead Case No.: 6:17-bk-19494-SC

Jointly Administered with:

Case No. 6:17-bk-19495-SC (Cheng Wai Tak Terence)

Chapter 15 Cases

**ORDER GRANTING PROVISIONAL
STAY UNDER 11 U.S.C. §§ 105, 362, AND
1519**

Emergency Hearing:

Date: November 17, 2017

Time: 10:00 a.m.

Place: 411 W. Fourth Street, Ctrm. 5C
Santa Ana, CA 92701-4593

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3 Upon the motion (the "Motion") of Petitioners OSMAN MOHAMMED ARAB and
4 WONG KWOK KEUNG, in their capacity as the joint and several Trustees (together, the
5 "Petitioners") and duly authorized foreign representatives of Cheng Wai Hung ("Wai Hung") and
6 Cheng Wai Tak Terence ("Wai Tak," together with Wai Hung, the "Debtors"), for an order,
7 pursuant to 11 U.S.C. § 1519, directing the joint administration of the above-captioned cases
8 (together, the "Chapter 15 Cases") for procedural purposes only, and upon consideration of the
9 Motion and the arguments contained therein; and the Court having determined that no other or
10 further notice need be given and sufficient cause appearing therefore.

11 The Court **HEREBY FINDS AND ORDERS** as follows:

- 12 A. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and
13 1334, this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and venue is
14 proper in this District pursuant to 28 U.S.C. §§ 1409 and 1410.
- 15 B. The relief sought by the Petitioners is authorized under sections 105(a), 362, and
16 1519 of the Bankruptcy Code.
- 17 C. The Petitioners have demonstrated that the requested relief is justified pursuant to
18 section 1519(e) of the Bankruptcy Code:
- 19 a. The Petitioners have demonstrated a reasonable probability that the Hong
20 Kong Proceedings will be recognized as foreign main proceedings pursuant
21 to sections 1502(4) and 1517(b)(1) of the Bankruptcy Code;
- 22 b. The Petitioners have demonstrated that, in the absence of the requested
23 relief, the Petitioners, the Debtors' estates, their creditors, and other
24 parties-in-interest will suffer immediate and irreparable harm for which
25 they will have no adequate remedy at law as there is a material risk that one
26 or more of the Debtors' assets will be sold or otherwise transferred, thereby
27 frustrating the objectives of Chapter 15 (as set forth in section 1501 of the
28 Bankruptcy Code) and disrupting the orderly administration of the Debtors'

1 estates under the Hong Kong Court's supervision in the Hong Kong
2 Proceedings;

3 c. The Petitioners have demonstrated that the relief requested is urgently
4 needed and will not cause either an undue hardship nor create any hardship
5 to parties in interest that is not outweighed by the benefits of such relief;
6 and

7 d. The interest of the public and will be served by this Court's granting of the
8 relief requested by the Petitioners.

9 D. The entry of this Order is in the best interest of the Debtors' estates, property,
10 creditors, and other parties in interest.

11 **NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

12 1. The Motion is hereby GRANTED.

13 2. Section 362 of the Bankruptcy Code shall hereby apply to, and remain in full force
14 and effect with respect to, the Debtors and their property within the territorial jurisdiction of the
15 United States pending the Court's decision on the Verified Petition. For the avoidance of doubt,
16 (i) no proceeding, suit, complaint, action, arbitration, application, enforcement, process, right or
17 remedy, judicial or extra-judicial, statutory or nonstatutory (each, a "Proceeding"), other than the
18 Hong Kong Proceedings, shall be commenced or continued against or in respect of the Debtors or
19 in any way affecting the Debtors' property, except with the written consent of the Petitioners, or
20 with leave of this Court, and any and all Proceedings currently under way against or in respect of
21 the Debtors or affecting the Debtors' property (other than the Hong Kong Proceedings), are
22 hereby stayed and suspended pending further Order of the Hong Kong Court; (ii) any and all
23 actions relating to execution against the Debtors' property are hereby stayed; and (iii) any and all
24 rights to transfer, encumber or otherwise dispose of any property of the Debtors' is hereby
25 suspended and stayed.

26 3. All rights and remedies of any individual, firm, corporation, governmental body or
27 agency, or other entity (each, a "Person"), whether judicial or extrajudicial, statutory or
28 nonstatutory, against or in respect of either or both the Debtors or affecting the Debtors' property,

1 are hereby stayed and suspended (including, without limitation, any execution against any of the
2 Debtors' assets and any Person's right to transfer, encumber or otherwise dispose of any assets of
3 the Debtors) except with the written consent of the Petitioners, or leave of this Court, provided
4 that nothing in this Order shall: (i) enjoin a police or regulatory act of a governmental unit,
5 including a criminal action or proceeding; (ii) empower the Debtors or the Petitioners to carry on
6 any business for which they are not lawfully entitled to carry on; or (iii) exempt the Debtors and
7 the Petitioners from compliance with statutory or regulatory provisions relating to health, safety,
8 or the environment.

9 4. The security provisions of Rule 65(c) of the Federal Rules of Civil Procedure,
10 made applicable to this case by Rule 7065 of the Federal Rules of Bankruptcy Procedure, are
11 inapplicable to the relief sought and granted herein.

12 5. This Court retains jurisdiction with respect to any matters, claims, rights, or
13 disputes arising from or related to this Order, its implementation, or otherwise arising from or
14 related to this case.

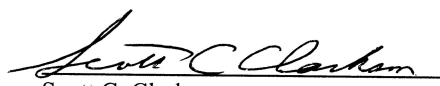
15 6. The Petitioners are hereby authorized and empowered to take any action or
16 perform any act necessary to implement and effectuate the terms of this Order.

17 7. This Order shall be effective and enforceable immediately upon entry and its
18 provisions shall be self-executing.

19 8. Notice of the entry of this Order shall be served by overnight courier on (i) the
20 Provisional Relief Parties and (ii) the Office of the United States Trustee, which shall constitute
21 adequate and sufficient service and notice.

22 # # #
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26 Date: November 20, 2017

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28 Scott C. Clarkson
United States Bankruptcy Judge